1671

IN THE SUPREME COURT OF THE UNITED STATES
WASHINGTON D. C.

BESSIE TOMMIE MORRIS — PETITIONER

V. PETITION FOR WRIT OF CERTIORARAI

NANNIE ROSE SPARROW, et al — RESPONDANT

Comes the petitioner, Bessie Tommie Morris, in person, and petitions this Honorable court to issue its writ of certiorarai to the court of appeals of Kentucky, court of last resort in this state and direct it thereunder to certify and send the record in case styled Bessie T. Morris, v. Nannie Rose Sparrow, et al for a review by this court of the judgment therein, a copy of the decision and opinion by the said court and copy of order overruling petition for rehearing dated January 18, 1971 are appended hereto. (Clerk's record pp 38- 39.).

The grounds on which the jurisdiction of this court is invoked are as follows:

> " No state shall make or enforce any law which shall abridge the previlege or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny any person within its jurisdiction the equal protection of the law."

The basis of her claim on which the jurisdiction of this court is invoked is the DENIAL OF DUE PROCESS OF LAW AND THE DENIAL OF EQUAL PROTECTION OF THE LAWS OF KENTUCKY by a judgment entered therein on October 30, 1970, and an order by the court overruling her petition for rehearing entered on January 18, 1971, and a copy of said official order is filed herewith and appended hereto in the clerks transcript of record.

The statutory jurisdiction of this court in this case arises under section 1257 - par. 3. of title 28 of United States code,

The questions presented for review in this case concern the following:

(1). Statement quoted from the opinion of the court of appeals in this case which it states:

> " The statement in Ryburn v. First National Bank of Mayfield, Ky., 399 SW 2d 313, 315 (1965), that before any succeeding class of heirs may take all those in the preceding classes must be dead, and so long as there is a living member of a class no member of a succeeding class can take in his stead, is inapplicable, because brothers and sisters of the half blood are members not of a succeeding class, but of the same class as the full brothers or sisters. Otherwise they could never take with the full brothers or sisters, and KRS 391.050 would be meaningless. In fact, it may well be that if it were

not for KRS 391.050 kinsmen of the half blood would share equally with those of the full blood. In the absence of such a statute, the half blood is usually held to take equally with the whole blood. Such rule being based, either on the intent of the legislature as gathered from the other section of the statutes of descent, or on the theory that the common-law rule was founded on the feudal law and is not applicable to our institutions."

The second question is WHEN AND WHERE IN THIS RECORD IS THE AUTHORITY AUTHORIZING GREEN DADISMAN TO CONVEY OR WILL ANY PART OF THIS PROPERTY as the record plainly shows that Matilda Edrington Dadisman was the owner of the property and died intestate July 29, 1881, and never parted with her title to this property, certificate of the Clerk of Anderson County Kentucky. (Clerk's record p. 12.)

The questions presented for review in terms and circumstances of this case are the denial of the petitioners constitutional rights herein above set out.

A concise statement is as follows:

On October 13, 1966 the petitioner Bessie T. Morris, filed her deed and affidavit in the Anderson County Court asserting her ownership of the property of Horace Everette Dadismam, who died intestate on July 28, 1966 her full blood uncle herein persuant to law of descent and distribution in the state of Kentucky contained in section 391.010 of Kentucky Statute laws. (Clerk's record pp 1-2 affidavit p.3.)

Th Respondants in this case were fortunate in obtaining Ollie J. Bowen, County Attorney for Anderson County Kentucky, and also acting President of Kentucky Bar Association, to represent them in this case, and the court paid scant attention to any other fact in the case, as the record reveals the overriding political influence and long standing prejudice against this petitioner is responsible for the judgment entered therein.

The petitioner is sending a letter to the clerk of this court today, enclosing therein incontestable proof of the prejudice by the court of appeals of Kentucky against her, being her fee simple deed of conveyance to her property that was wrested from her by a judgment from the court of appeals and given to Agnes Thomas, in a suit that was barred by the statute of frauds of Kentucky, and in which the court of appeals called her fee simple deed a "title bond." No testamentary paper was filed with the complaint that was signed by this petitioner as required by the statute of frauds in the state of Kentucky.

Notice of appeal to the court of appeals (Clerk's record p.41.)

" Those who steal my purse steal trash, but those who filch my good name takes that which does not enrich them, but makes me poor indeed."

The petitioner is standing at the door of this court knocking, she is a stranger to this court and is without legal representation yet, she is confident in her expectation that the protecting justice of the constitution of the United States and this high court will issue the writ of certiorarai and review her case and that the wrongs that have been done her will at long last be righted.

Respectfully submitted

Bessie Tommie Morris

Bessie Tommie Morris, for self
3423 Powell Avenue
Louisville, Kentucky 40215
EM. 3- 2204

Certificate:

It is hereby certified that a true copy of the foregoing petition for certiorarai has been given the plaintiff by mailing a copy thereof to their attorney of record herein, Ollie J. Bowen, Lawrenceburg Ky., with sufficient postage thereon and placed in the U. S. mail, and a true copy has been given the Court of appeals of Kentucky by mailing a copy thereof to Hon Richard Vermillion, Clerk of the Court of appeals, Frankfort, Kentucky.

Bessie Tommie Morris